

## CONFERENCE COMMITTEE REPORT DIGEST FOR EHB 1731

**Citations Affected:** IC 36-8-15-19.

**Synopsis:** State and local administration. Conference committee report for EHB 1731. Increases the thresholds for small purchases made by the state and governmental bodies. Provides that all purchasing agencies may award a contract under the request for proposal provisions of the law. Removes a provision that requires that when conducting discussions with an offeror, information derived from a proposal submitted by a competing offeror may not be disclosed. Extends to all purchasing agents, and not just executive branch agencies, the ability to discuss competing offers. Provides that governmental entities may make purchases from other governmental entities, or under another governmental entity's written contract and, in certain circumstances, with a nonprofit entity if the requirements of the public purchasing statutes are met. Allows any county to adopt an ordinance creating a public safety communications systems and computer facilities district (district). Prohibits a county from imposing an ad valorem property tax levy to fund the operation or implementation of a public safety district. **(This conference committee report adds provisions from ESB 561 that allow any county to adopt an ordinance creating a public safety communications systems and computer facilities district (district). Prohibits a county from imposing an ad valorem property tax levy to fund the operation or implementation of a public safety district.)**

**Effective:** July 1, 2007.

## CONFERENCE COMMITTEE REPORT

**MR. SPEAKER:**

*Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1731 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 5, after line 31, begin a new paragraph and insert:
- 2 "SECTION 9. IC 36-8-15-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. This chapter applies
- 4 to a county ~~having:~~ **that has:**
- 5 (1) a consolidated city; ~~or~~
- 6 (2) a population of more than one hundred eighty-two thousand
- 7 seven hundred ninety (182,790) but less than two hundred
- 8 thousand (200,000); **or**
- 9 **(3) adopted an ordinance providing for the county to be**
- 10 **governed by this chapter.**
- 11 However, sections 9.5, 15, 16, 17, and 18 of this chapter apply only to
- 12 a county having a consolidated city.
- 13 SECTION 10. IC 36-8-15-19 IS AMENDED TO READ AS
- 14 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 19. (a) This subsection
- 15 applies to a county ~~not having a consolidated city.~~ **that has a**
- 16 **population of more than one hundred eighty-two thousand seven**
- 17 **hundred ninety (182,790) but less than two hundred thousand**
- 18 **(200,000).** For the purpose of raising money to fund the operation of
- 19 the district, the county fiscal body may impose, for property taxes first
- 20 due and payable during each year after the adoption of an ordinance
- 21 establishing the district, an ad valorem property tax levy on property
- 22 within the district. The property tax rate for that levy may not exceed

1 five cents (\$0.05) on each one hundred dollars (\$100) of assessed  
2 valuation.

3 (b) This subsection applies to a county having a consolidated city.  
4 The county fiscal body may elect to fund the operation of the district  
5 from part of the certified distribution, if any, that the county is to  
6 receive during a particular calendar year under IC 6-3.5-6-17. To make  
7 such an election, the county fiscal body must adopt an ordinance before  
8 September 1 of the immediately preceding calendar year. The county  
9 fiscal body must specify in the ordinance the amount of the certified  
10 distribution that is to be used to fund the operation of the district. If the  
11 county fiscal body adopts such an ordinance, it shall immediately send  
12 a copy of the ordinance to the county auditor.

13 (c) Subject to subsections (d), (e), and (f), if an ordinance or  
14 resolution is adopted changing the territory covered by the district or  
15 the number of public agencies served by the district, the local  
16 government tax control board shall, for property taxes first due and  
17 payable during the year after the adoption of the ordinance, adjust the  
18 maximum permissible ad valorem property tax levy limits of the  
19 district and the units participating in the district.

20 (d) If a unit by ordinance or resolution joins the district or elects to  
21 have its public safety agencies served by the district, the local  
22 government tax control board shall reduce the maximum permissible  
23 ad valorem property tax levy of the unit for property taxes first due and  
24 payable during the year after the adoption of the ordinance or  
25 resolution. The reduction shall be based on the amount budgeted by the  
26 unit for public safety communication services in the year in which the  
27 ordinance was adopted. If such an ordinance or resolution is adopted,  
28 the district shall refer its proposed budget, ad valorem property tax  
29 levy, and property tax rate for the following year to the board, which  
30 shall review and set the budget, levy, and rate as though the district  
31 were covered by IC 6-1.1-18.5-7.

32 (e) If a unit by ordinance or resolution withdraws from the district  
33 or rescinds its election to have its public safety agencies served by the  
34 district, the local government tax control board shall reduce the  
35 maximum permissible ad valorem property tax levy of the district for  
36 property taxes first due and payable during the year after the adoption  
37 of the ordinance or resolution. The reduction shall be based on the  
38 amounts being levied by the district within that unit. If such an  
39 ordinance or resolution is adopted, the unit shall refer its proposed  
40 budget, ad valorem property tax levy, and property tax rate for public  
41 safety communication services to the board, which shall review and set  
42 the budget, levy, and rate as though the unit were covered by  
43 IC 6-1.1-18.5-7.

44 (f) The adjustments provided for in subsections (c), (d), and (e) do  
45 not apply to a district or unit located in a particular county if the county  
46 fiscal body of that county does not impose an ad valorem property tax  
47 levy under subsection (a) to fund the operation of the district.

48 **(g) A county that has adopted an ordinance under section 1(3)**  
49 **of this chapter may not impose an ad valorem property tax levy on**  
50 **property within the district to fund the operation or**  
51 **implementation of the district."**

(Reference is to EHB 1731 as reprinted March 21, 2007.)

**Conference Committee Report**  
**on**  
**Engrossed House Bill 1731**

**S**igned by:

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Representative GiaQuinta  
Chairperson

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Senator Lawson C

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Representative Wolkins

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Senator Lanane

**House Conferees**

**Senate Conferees**